

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:) Case No. 08-35653 (KRH)
)
CIRCUIT CITY STORES, INC., *et al.*,) Chapter 11
)
Debtors.) (Jointly Administered)
)

**MOTION FOR LEAVE OF COURT TO ATTEND
HEARING BY TELEPHONE**

Cosmo Eastgate, Ltd., a former landlord of the Debtor, Circuit City Stores, Inc. (“Cosmo Eastgate”), and a creditor in the above-captioned Chapter 11 proceedings, by and through its undersigned counsel, and pursuant to the Court's Supplemental Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Amended Notice, Case Management, and Administrative Procedures [Dkt. No. 6208] (the “Procedures Order”), hereby moves for leave of Court for certain of its counsel to attend the July 10, 2012 hearing by telephone. In support thereof, Cosmo Eastgate states as follows:

1. This matter is currently scheduled for an omnibus hearing before the Court on July 10, 2012 at 2:00 p.m. to consider, among other things, the Liquidating Trust’s Fortieth Omnibus Objection to Landlord Claims (Reduction of Certain Invalid Claims-Mitigation) [Dkt. No. 11851] (the “Objection”). Cosmo Eastgate is one of the former landlords which is the

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subject of the Objection, and on June 26, 2012 it filed its Response in Opposition to the Objection [Dkt. No. 12126] and served copies on counsel for the Liquidating Trust.

2. Immediately prior to the filing of this motion Richard E. Hagerty, counsel for Cosmo Eastgate, has filed Motions for Admission *Pro Hac Vice* of William E. Schonberg and Matthew J. Samsa of the law firm of Benesch, Friedlander, Coplan & Aronoff LLP.

3. Neither Messrs. Schonberg nor Samsa are able to appear in person on July 10, 2012, due to prior commitments, and Cosmo Eastgate respectfully asks for leave of Court pursuant to the Procedures Order so that either or both of them may appear and participate by telephone with Virginia counsel present in the courtroom.

4. Pursuant to Local Bankruptcy Rule 9013-1(E), and given the administrative nature of the relief requested herein, Movant requests that the requirement that all motions be accompanied by a written memorandum of law be waived.

WHEREFORE, Cosmo Eastgate respectfully requests that this Court grant this motion and enter an Order substantially in the form annexed hereto permitting William E. Schonberg and/or Matthew J. Samsa to appear and be heard by telephone at the hearing on July 10, 2012 on behalf of Cosmo Eastgate, Ltd.; and granting such other relief as necessary and appropriate.

Dated: July 3, 2012

[SIGNATURES ON NEXT PAGE]

/s/ Richard E. Hagerty

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/s/ William E. Schonberg

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Attorneys for Cosmo Eastgate Ltd

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of July, 2012, I caused a copy of the foregoing to be served on the following registered persons via the Court's CM/ECF System, and on all other persons who have requested notice in these proceedings:

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